GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Vijayawada Municipal Corporation - Un-authorized construction of Commercial Complex with a height of over 19.5 mts. without obtaining NOC from Fire Services Department and without providing fire safety measures by the builder - Disciplinary Proceedings initiated against Sri PNS Sai Babu, the then ACP (now Retd.), Vijayawada Municipal Corporation - Imposed a penalty of "10% cut in pension for a period of Five (5) years" – Appeal filed by Sri PNS Sai Babu, the then ACP (now Retd.), against the punishment – Revision of the penalty from "10% cut in pension for a period of Five (5) years" to that of "withholding 10% cut in pension for a period of two (2) years" – Modified - Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Rt.No.423 **Dated.16.05.2024.**

Read the following:-

1. G.A. (V&E) Dept., Appraisal Report No.32 (608/V&E/DI/08), dated: 11.07.2008.
2. From DTCP, AP, Hyderabad, Lr.Roc.No.7435/2008/V.Cell, dated.1.10.2008.
3. G.O.Rt.No.268, MA&UD (E1) Department, dt.17.02.2009.
4. G.O.Rt.No.509, MA&UD(E1) Department, dt.07.05.2010.
5. Enquiry Report of Sri S.Viswanath, Director (Planning) II, HMDA, Secunderabad & Enquiry Officer, dt.11.08.2010
6. G.O.Rt.No.767, M.A.& U.D. (Vig.II) Department, dated 12.10.2022.
7. Appeal petition of Sri PNS Sai Babu, the then ACP (now Retd.), dated 05.03.2023 & 04.12.2023.

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O R D E R:

Based on the report of G.A. (V&E) Department, in the reference 1st read above, disciplinary action was initiated vide G.O. 3rd read above, against Sri PNS Sai Babu, the then ACP (now Retd.) and another Officer of Vijayawada Municipal Corporation, on the allegations of allowing unauthorized construction of Commercial Complex with a height of over 19.5 mts. without obtaining NOC from Fire Services Department and without providing fire safety measures by the builder and also violation of approved plan at M.G.Road, Moghalrajapuram, Vijayawada.

2. The Government vide reference 4th read above, appointed an Inquiry Officer to Inquire into the charges framed against Sri PNS Sai Babu, the then ACP (now Retd.) and another Officer of Vijayawada Municipal Corporation. The Inquiry Authority conducted Inquiry into the charges framed against the said charged officers and submitted his report, vide reference 5th read above wherein, he reported that, out of 4 charges 2 charges are held proved and 2 charges are held not proved against Sri P.N.S.Sai Babu, the then ACP, VMC .

3. After careful examination of the matter, and following the due procedure, Government imposed a penalty of "10% cut in pension for a period of Five (5) years" against Sri PNS Sai Babu, the then ACP (now Retd.), Vijayawada Municipal Corporation, under Rule-9 of A.P. Revised Pension Rules, 1980 in the G.O., 6th read above.

(P.T.O)

4. In the reference 7th read above, Sri P.N.S. Sai Babu, the then ACP (now Retired), Vijayawada Municipal Corporation, submitted an appeal petition, wherein among others, he has stated that he was undergone surgery for removal of a tumor formed on the right Submandibular Salivary Gland in the Month of October, 2022 and got radiation treatment in December & January, 2023 in KIMS Hospital, Secunderabad, since Carcinoma Particles found in Biopsy Test Report. The action of the Disciplinary Authority in imposing a huge penalty against him duly leaving the field level Officer (TPBO) and his superior officer (CP) who are all equally responsible is against to the "principles of natural justice. He mentioned that there are no setbacks, parking and extra floor deviation and the deviation is height of building. He has, therefore, requested to consider his case sympathetically and reduce the penalty from 10% cut of pension for a period of 5 years to that of "5% cut of pension for a period of 2 years" in the interest of Justice and keeping in view of his health conditions, as he is suffering from carcinoma and taking treatment regularly.

5. Government have examined the appeal petition and decided to reduce the penalty from "10% cut in pension for a period of Five (5) years" imposed in the reference 6th read above, to that of "withholding 10% pension for a period of two (2) years" against Sri PNS Sai Babu, the then ACP (now Retd.), Vijayawada Municipal Corporation, under Rule-9 of A.P. Revised Pension Rules, 1980.

6. Accordingly, the Government hereby order to reduce the penalty of "withholding of 10% pension for a period of Five (5) years" imposed in the reference 6th read above, to that of "withholding 10% pension for a period of two (2) years" against Sri PNS Sai Babu, the then ACP (now Retd.), Vijayawada Municipal Corporation, under Rule-9 of A.P. Revised Pension Rules, 1980.

7. The Director of Town and Country Planning, A.P, Mangalagiri, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri PNS Sai Babu, the then ACP (now Retd.), Vijayawada Municipal Corporation
- through DTCP, AP, Mangalagiri.
The Director of Town and Country Planning, A.P., Mangalagiri.
Copy to:
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER.